

S/N 09/941,125PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gurtej Singh Sandhu et al.

Examiner: Arden B. Sperty

Serial No.: 09/941,125

Group Art Unit: 1775

Filed: August 28, 2001

Docket: 303.676US5

Title: CHEMICAL VAPOR DEPOSITION OF TITANIUM

#13
AW
5-16-03TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I, David C. Peterson, am the attorney of record for the above identified patent application as evidenced by the Power of Attorney filed in the present application on August 28, 2001 and the Appointment of Associate Representative filed herewith. I am making this petition on behalf of Micron Technology, Inc., the assignee of the present invention. As the attorney of record, I am empowered to act on behalf of the assignee and, in accordance with 37 C.F.R. § 1.321(b)(iv), to sign this terminal disclaimer.

Certificate Under 37 C.F.R. §3.73(b)

Your petitioner, Micron Technology, Inc., certifies that they are the owner of the entire right, title and interest in and to the above-identified patent application (Serial No. 09/941,125) and to U.S. Patent No. 6,433,434. Your petitioner owns the entire right, title, and interest of these applications by nature of the assignments executed and filed for both of these applications. The assignment for U.S. Patent No. 6,433,434 was recorded on February 25, 1998 on Reel 9019, Frames 0980-0984, with the United States Patent and Trademark Office. The above-identified patent application (Serial No. 09/941,125) is related to U.S. Patent No. 6,433,434.

The undersigned representative of the assignee has reviewed the evidentiary documents of title and certifies that to the best of assignee's knowledge and belief, title is in the assignee, Micron Technology, Inc., seeking to take the action set forth in this disclaimer.

Terminal Disclaimer

Your petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified patent application, which would extend beyond the expiration date of the full statutory term, as presently shortened by any terminal disclaimers, of U.S. Patent No. 6,433,434. Petitioner hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal

TERMINAL DISCLAIMER

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title to U.S. Patent No. 6,433,434 and the legal title of the above-identified application and any patent granted thereon remain common, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors and assigns.

Limitations on the Disclaimer

Your petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent No. 6,433,434 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration date of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title as stated hereinabove.

Fee Status

The Commissioner of Patents and Trademarks is hereby authorized to charge Deposit Account No. 19-0743 in the amount of \$110.00, which is required under 37 C.F.R. § 1.20(d) to file a statutory disclaimer.

Respectfully submitted,

GURTEJ SINGH SANDHU ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 373-6944

Date

5/8/03

By

David C. Peterson
Reg. No. 47,857

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Amy J. Moriarty

May 8, 2003
Date of Transmission

S/N 09/941,125PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Gurtej Singh Sandhu et al.	Examiner:	Arden B. Sperty
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APPOINTMENT OF ASSOCIATE REPRESENTATIVE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The undersigned attorney of record in the above-identified patent application hereby appoints:

David C. Peterson Reg. No. 47,857

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, Minnesota 55402 (612) 373-6944

to act as associate attorneys, and empowers the associate attorneys to receive all correspondence from the U. S. Patent and Trademark Office, to amend the specification and drawings, to prosecute the application; and ratifies any act done by the associate in respect of the application.

Respectfully submitted,

GURTEJ SINGH SANDHU ET AL.

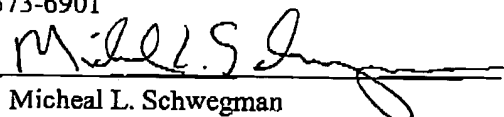
By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 373-6901

Date

5-8-03

By


Micheal L. Schwegman
Reg. No. 25,816

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.


Amy J. Moriarty

May 8, 2003
Date of Transmission

SUBJECT DECISION ON TERMINAL DISCLAIMER INFORMAL FORM

DATE: 5-16-03

APPL. S.N.: 09/991/25

EXAMINER: Spartan

ART UNIT: 1715

PARALEGAL: Byrne

MAILROOM DATE: 5-8-03

AFTER FINAL: YES X NO

NUMBER OF T.D.(S) FILED: 1

INSTRUCTIONS: I have reviewed the submitted T. D. with the results as set forth below. If you agree, please use the appropriate form paragraphs identified by this informal memo in your next office action to notify applicant about the T. D. If you disagree any analysis or have questions at all about the acceptability of the T.D., please see our Special Program Examiner or me.

THIS MEMO IS AN INFORMAL, INTERNAL MEMO ONLY. IT MUST NOT BE MAILED TO APPLICANT, NOR SHOULD A COPY BE LEFT IN FILE. WHEN YOUR OFFICE ACTION IS COMPLETED, YOU MUST INITIAL AND DATE & RETURN THIS TO PARALEGAL.

- ☒ The T. D. is PROPER and has been recorded. (See 14.23)
- ☐ The T.D. is NOT PROPER and has not been accepted for the reason(s) checked below. (See 14.24)
- ☐ The recording fee of \$_____ has not been submitted nor is there any pre authorization in the application to charge to a deposit account. (See 14.25)
- ☐ Application Examiner has not processed fee for T.'D.
- ☐ The T.D. does not satisfy Rule 321(b)(3) in that the person who has signed the T. D. has not stated his/her interest and the extent of the interest of the business entity represented by the signature in the application/patent. (See 14.26)
- ☐ The T. D. lacks the enforceable only during the common ownership clause needed to overcome a double patenting Rule 321(c). (See 14.27 and 14.27.1)
- ☐ T. D. is directed to a particular claim(s), which is not acceptable since the disclaimer must be of a terminal portion of the entire patent to be granted, MPEP 1490. (See 14.26 and 14.26.2)
- ☐ The person who signed the terminal disclaimer:
- ☐ has failed to state his/her capacity to sign for the business entity. (See 14.28)
- ☐ is not recognized as an officer of the assignee. (See 14.29.1)
- ☐ No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the frame specified as to where such evidence is recorded in the office. 37CFR 3.73(b). (See 1140 O.G. 72) NOTE: This documentary evidence or the specifying of the reel and frame may be found in the T.D. or in a separate paper submitted by applicant. (See 14.30)
- ☐ No "STATEMENT" specifying that the evidentiary documents have been reviewed and that, to the best of the assignee knowledge and behalf the file is in the assignee seeking to take action 37 CFR 3.73(b). (See 1140 O.G. 72)
- ☐ The T. D. is not signed (See 14.26 and 14.26.3)
- ☐ Attorney is not of record in the oath/declaration or a separate paper filed appointing a new or associate attorney, nor is there a customer number.
- ☐ The serial number of the application (or the number of the patent) which forms the basis for the double patenting is missing or incorrect. (See 14.32)
- ☐ The serial number of this application (or the number of the patent in reexam or reissue case(s) being disclaimed is missing or incorrect. (See 14.26, 14.26.4 or 14.26.6)
- ☐ The period disclaimed is incorrect or not specified. (See 14.27, 14.27.2 or 14.27.3)
- ☐ Other